

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA,

Plaintiff,

- against -

Civil Action

No. CV- 07-0835

AGI-VR/WESSON COMPANY;  
ALLOY CARBIDE COMPANY;  
CHI MEI CORPORATION;  
CLIMAX MOLYBDENUM COMPANY;  
CLIMAX MOLYBDENUM MARKETING  
CORPORATION;  
COUNTY OF NASSAU, NEW YORK;  
CYPRUS AMAX MINERALS COMPANY;  
GENERAL ELECTRIC COMPANY;  
GTE CORPORATION;  
H.C. STARCK, INC.;  
KENNAMETAL INC.;  
M & R INDUSTRIES, INC.;  
MINMETALS INC.;  
OSRAM SYLVANIA CORPORATION;  
PHILIPS ELECTRONICS NORTH  
AMERICA CORPORATION;  
SANDVIK AB;  
TDY HOLDINGS, LLC; and  
TDY INDUSTRIES, INC.,

(Seybert, J.)  
(Orenstein, Ch. M. J.)

Defendants.

----- X

APPENDIX G TO THE CONSENT JUDGMENT

**APPENDIX G**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

TDY HOLDINGS, LLC and TDY  
INDUSTRIES, INC.,

Civil Action No.:  
CV-00-6545

Plaintiffs,

- against -

(Seybert, J.)  
(Orenstein, M., Ch.M.J.)

UNITED STATES OF AMERICA, UNITED STATES DEPARTMENT OF COMMERCE, CARLOS M. GUTIERREZ, in his official capacity as SECRETARY OF COMMERCE, UNITED STATES DEPARTMENT OF DEFENSE, DONALD RUMSFELD, in his official capacity as SECRETARY OF DEFENSE, UNITED STATES DEPARTMENT OF THE TREASURY, JOHN SNOW, in his official capacity as SECRETARY OF THE TREASURY, UNITED STATES GENERAL SERVICES ADMINISTRATION, STEPHEN A. PERRY, in his official capacity as ADMINISTRATOR OF GENERAL SERVICES, CITY OF GLEN COVE, COUNTY OF NASSAU, WAH CHANG SMELTING AND REFINING COMPANY OF AMERICA, INC., WAH CHANG HOLDING CORPORATION, CHINA NATIONAL METALS AND MINERALS IMPORT AND EXPORT CORPORATION, MINMETALS, INC., CHI MEI CORPORATION, ADAMAS CARBIDE CORPORATION, AGI-VR/WESSON CO., ALLOY CARBIDE COMPANY, BAKER HUGHES OILFIELD OPERATIONS, INC., CLIMAX MOLYBDENUM COMPANY, CLIMAX MOLYBDENUM MARKETING CORPORATION, CYPRUS AMAX MINERALS COMPANY, GENERAL ELECTRIC COMPANY, H.C. STARCK, INC., HYDRO CARBIDE, INC., KENNAMETAL, INC., KULITE TUNGSTEN CORPORATION, M & R INDUSTRIES, INC., NORTON COMPANY aka SAINT-GOBAIN ABRASIVES, INC., SANDVIK AB, SANDVIK, INC., and VERIZON COMMUNICATIONS, INC.,

Defendants.

-----X

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-entitled action, by their respective undersigned attorneys, that Plaintiffs' complaints and all claims therein and Defendants' cross-claims and counterclaims and all claims therein be and hereby are dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

Each party hereto agrees that this dismissal is without costs or fees. The parties further agree that no further suit will be instituted for the same causes of action which have been asserted herein, or for any other causes of action arising out of the incidents or circumstances which gave rise to this lawsuit.

This stipulation may be signed in counterparts.

Dated: New York, New York  
\_\_\_\_\_, 200

Dickstein Shapiro LLP  
Attorneys for Plaintiffs  
1825 Eye Street, NW  
Washington, DC 20006

By: \_\_\_\_\_  
Harvey Sherzer, Esq..  
(202) 420-4745

Dated: Brooklyn, New York  
\_\_\_\_\_, 200

Roslynn R. Mauskopf  
United States Attorney  
Eastern District of New York  
Attorney for Defendants United States of America United States Department of Commerce, Carlos M. Gutierrez, in his official capacity as Secretary of Commerce, United States Department of Defense, Donald Rumsfeld, in his official capacity as Secretary of Defense, United States Department of the Treasury, John Snow, in his official capacity as Secretary of the Treasury, United States General Services, Stephen A. Perry, in his official capacity as Administrator of General Services,  
One Pierrepont Plaza, 14<sup>th</sup> Floor  
Brooklyn, New York 11201

By: \_\_\_\_\_  
Kevin P. Mulry/Artemis Lekakis  
Assistant United States Attorneys  
(718) 254-6408/6096

Landman Corsi Ballaine & Ford P.C.  
Attorneys for Alloy Carbide Company  
120 Broadway, 27<sup>th</sup> Floor  
New York, New York 10271-0079

---

By:

---

William G. Ballaine, Esq.

Wilson, Elser, Moskowitz, Edelman & Dicker LLP  
Attorneys for Minmetals, Inc.  
3 Gannett Drive  
White Plains, New York 10604

By: \_\_\_\_\_  
Michael Case, Esq.

Hughes Hubbard & Reed LLP  
Attorneys for H.C. Starck, Inc. and Kulite Tungsten  
Corporation  
One Battery Park Plaza  
New York, New York 10004-1482

By: \_\_\_\_\_  
Susan Millington Campbell, Esq.

Whiteman, Osterman & Hanna LLP  
Attorneys for GTE Corporation  
One Commerce Plaza  
Albany, New York 12260

By: \_\_\_\_\_  
Scott N. Fein, Esq.

Gallagher and Kennedy  
Attorneys for Climax Molybdenum Company,  
Climax Molybdenum Marketing Corporation and  
Cyprus Amax Minerals Company  
2575 East Camelback Rd.  
Phoenix, AZ 85016

By: \_\_\_\_\_  
James Hamula, Esq.



Lorna B. Goodman  
Nassau County Attorney  
For County of Nassau  
Office of the County Attorney  
Nassau County Executive Building  
One West Street  
Mineola, NY 11501-4820

By: \_\_\_\_\_  
Jane Houdek, Esq.  
Deputy County Attorney

Morgan Lewis  
Attorneys for Sandvik AB and Sandvik, Inc.  
1701 Market Street  
Philadelphia, PA 19103

By: \_\_\_\_\_  
John J. McAleese, Esq.

Bainton McCarthy LLC  
Attorneys for M&R Industries, Inc.  
26 Broadway  
New York, New York 10004-1840

By: \_\_\_\_\_  
John G. McCarthy, Esq.

Schenck, Price, Smith & King, LLP  
Attorneys for Wah Chang Smelting and Refining  
Company of America, Inc. and Wah Chang Holding  
Corporation  
P.O. Box 905  
10 Washington Street  
Morristown, New Jersey 07963-0905

By: \_\_\_\_\_

\_\_\_\_\_  
David A. Roth, Esq.

Phillips Lytle LLP  
Attorneys for City of Glen Cove  
3400 HSBC Center  
Buffalo, New York 14203

By: \_\_\_\_\_  
Kevin M. Hogan, Esq.

Law Offices of Gregory K. Mueller, P.C.  
Attorneys for Chi Mei Corporation  
26 Franklin Street  
Tenafly, New Jersey 07670

By: \_\_\_\_\_  
Gregory Mueller, Esq.

Davis & Kuelthau, s.c.  
Attorneys for AGI-VR/Wesson Co.  
300 North Corporate Drive  
Suite 150  
Brookfield, Wisconsin 53045

By: \_\_\_\_\_  
William L. Shenkenberg, Esq.

Young, Sommer...LLC  
Attorneys for General Electric Company  
Executive Woods  
5 Palisades Drive  
Albany, NY 12205

By: \_\_\_\_\_  
Dean S. Sommer, Esq.



Babst Calland Clements and Zomnir, P.C.  
Attorneys for Adamas Carbide Corporation  
and Kennametal, Inc.  
2 Gateway Center, 8<sup>th</sup> Floor  
Pittsburgh, PA 15222

By: \_\_\_\_\_  
Robert W. Thomson, Esq.

SO ORDERED this

\_\_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_  
HONORABLE JOANNA SEYBERT  
United States District Judge